



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,884	09/29/2003	Alexey Kryuchkov	IGT1P085/P-557 CIP	9225
22434	7590	02/20/2008		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER RENDON, CHRISTIAN E	
			ART UNIT	PAPER NUMBER
			3714	
			MAIL DATE	DELIVERY MODE
			02/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/674,884	Applicant(s) KRYUCHKOV ET AL.	
	Examiner CHRISTIAN E. RENDÓN	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39,41-45,48-66 and 75-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39,41-45,48-66 and 75-90 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/12/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

Claims 39, 41-45, 48-50, 54-57, 60-64, 66, 75-84 and 86-90 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (WO 02/32521 A1).

1. Regarding claims 39 and 75, Ellis discloses an electronic game that initially displays a plurality of rows and columns containing a variety of symbols in two dimensions (2D) arranged to represent virtual slot reels (Abstract) in their first position. However, the reels morph or change into three dimension (3D) reels or a second position during a spin as a means to give the player an impression of a novel form of entertainment (pg. 2, par. 2, lines 1-4). In the first position the plurality of rows and columns combine to form a square in 2D, however the game could also have other shapes like rectangles, triangles, etc. based on the number of row and columns (pg. 2, par. 3, lines 4-6). The 2D reel is divided into several segments each containing a symbol and separated by a space as a means to provide the space required to show a degree of depth when the symbol is drawn in 3D (fig. 2). Furthermore, the number of segments displayed by the 2D reels is less than a total number of segments (fig. 2). Upon the completion of a vertical spin, if a special result is achieved than at least one row is capable of spinning horizontally (pg. 2, par. 3, lines 8-11). Therefore the prior art contains multiple subsets of symbols that spin either the same or alternative direction. Furthermore, the 2D symbols or a first subset of symbols and the 3D symbols or a second subset also met the applicant's limitations about subset of symbols.

2. Regarding claim 41-43, 54-57, 61 and 86-90, each reel is considered a different surface since they are drawn as separate elements. The prior art discloses a game of three reels (fig. 2), however discloses the display can have any number of row and columns or reels (pg. 7, par. 6, lines 1-4). Furthermore, in the case of the prior art example of three rows and three columns (pg. 8, par. 1, lines 2-4) there will always be a total of nine symbols in every outcome (fig. 2) and less than the total

number of symbols. On a final note, a number of segments on a row are used to define a winning payline (pg. 9, par. 3, lines 6-8) and determine the outcome or award after the completion of a 3D spin (pg. 5, par. 5, lines 4-7).

3. Regarding claims 44-45 & 77-83, the prior art describes the reels or flat strip of a slot machine leaving the 2D plane to enter a 3D representation during the spin mode (pg. 8, par. 1, lines 11-14); therefore depicting a motion along a linear path from the top to the bottom of the screen (fig. 2, 9).

4. Regarding claims 48-50, the prior art discloses spinning the columns vertically and the rows horizontally (pg. 2, par. 3, lines 8-11). Therefore a vertically spinning columns (fig. 2, 9-11) or first subset of symbols overlaps with a horizontally spinning rows (fig. 2, 6-8) or second subset of symbols. The prior art's figure 2 also describes another form of overlap by depicting 2D symbols or a first subset on the same screen with 3D symbols or a second subset. The direction of movement in regards to a spin varies over time since a horizontal spin only occurs as a result of a special condition (pg. 2, par. 3, lines 8-11). Furthermore, the rate of movement also varies over time since a column is allowed to spin in unison, individually or in staggered fashion (pg. 8, par. 2, lines 11-14).

5. Regarding claims 62-63, 66 and 76, during a first game a bonus or second game state is triggered by a predetermined event causing a 2D cube and its symbols to transform into a 3D cube and symbols (pg. 10, par. 3, lines 1-5) as a means of depicting a new form of presentation (pg. 10, par. 3, lines 10-12). Therefore the initial state of the second game is the final state of the first game.

6. Regarding claim 84, Ellis discloses providing a player the option of further spinning the reels after a spin by inputting a spin command button (pg. 7, par. 5, lines 8-12).

Claim Rejections - 35 USC § 103

Claims 51-53, 58-59, 65 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (WO 02/32521 A1) in view of Gauselmann (US 2004/0048657 A1).

7. The above description of the invention disclosed by Ellis and the limitations they pertain is considered within this art rejection as well. The rendered 2D images are used as part of the game outcome presentation (pg. 3, par. 2, lines 18-21). Ellis discloses a game where a player can decide to spin the reels horizontally (Fig. 3) after spins the reels vertically (Fig. 2 & pg. 3, par. 1, lines 3-5). However remains silent about other reel movements: speeding/slowing down, recoil action or oscillating into a final position.

8. Gauselmann discloses a game machine that allows a player or casino operator to configure the spinning time or speed of the reels (Abstract). The arrangement of the symbols or the number of different type of symbols on the reels is also configurable (Abstract) allowing a player or casino operator to create their own reel strips (par. 34, lines 17-18).

9. One of ordinary skill would have combined the art teachings of Gauselmann with Ellis in order to support the limitations that were disclosed by Ellis. As well as include extra features that will make the experience even more interactive through a wide variety of options within the game framework (Ellis: pg. 2, par. 1, lines 1-4). Therefore this art combination of Ellis and Gauselmann supports the customization of game's features not mentioned by Ellis like other type of reel movements since the movements are an inconsequential change. However the limitation of the reel movements carries no patentable weight since no stated problem is solved or unexpected result obtained by including these features. Therefore the Office views these claim limitations as mere design choice.

10. Regarding claims 58-59 and 85, Gauselmann discloses the use of various input devices: keypad (Gauselmann: par. 21, lines 1-2), buttons (Gauselmann: par. 22, lines 1-2) or a touch screen (Gauselmann: par. 22, lines 8-9). The touch screen allows the manufacture to replace all the necessary physical buttons with virtual ones; therefore accepting all of the player's control inputs by touching the screen (Gauselmann: par. 25, lines 5-7). In other words, if a person played the embodiment (Ellis: pg. 2, par. 4, lines 1-3) requiring them to choose which line to spin horizontally

Art Unit: 3714

(Ellis: pg. 3, par. 1, lines 3-5) then the player must touch an active surface of a 2D image to initiate an altering movement (horizontal) in the 3D environment.

11. Regarding claim 65, Gauselmann discloses offering the player several reel stripes choices. In other words, the player defines the entire reel strip around a virtual reel, how it begins and ends (Gauselmann: par. 34, lines 13-18).

Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (WO 02/32521 A1) in view of Abbott (US 7,179,166 B1).

12. Ellis discloses providing a player the option of further spinning the reels by inputting a spin command (pg. 3, par. 1, lines 3-5). Therefore the action of not sending the command is viewed as a means of expressing a player's desire to stop spinning the reels. However, Ellis is silent about providing a dedicated stop button to end a game.

13. Abbott discloses a stop button that ends the rotation of the reels (Abstract). It would have been obvious for one of ordinary skill to have incorporated a stop feature as disclosed by Abbott into Ellis since the game disclosed by Ellis already teaches giving the player a means to inform the game to stop spinning the reels.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

Art Unit: 3714

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN E. RENDÓN whose telephone number is (571)272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHRISTIAN E RENDÓN
Examiner
Art Unit 3714

CER
/XUAN M. THAI/
Supervisory Patent Examiner, Art Unit 3714